

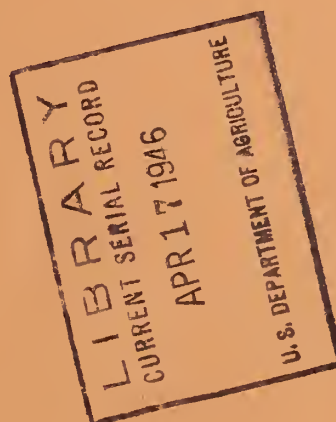
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UNITED STATES DEPARTMENT OF AGRICULTURE
PRODUCTION AND MARKETING ADMINISTRATION

REGULATIONS AND INSTRUCTIONS
Governing
ORIGIN VERIFICATION OF ALFALFA AND RED CLOVER SEED



Washington, D. C.

Reissued September 1945

Title 7
UNITED STATES DEPARTMENT OF AGRICULTURE
Chapter I
Agricultural Marketing Service*
Part 59

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE GOVERNING
ORIGIN VERIFICATION OF SEED (INSPECTION AND CERTIFICATION)

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* Now Production and Marketing Administration
** Now Assistant Administrator

By virtue of the authority vested in the Secretary of Agriculture by the provision in the Act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes," approved June 30, 1939. (Public No. 159, 76th Congress) authorizing the establishment of an inspection service for farm products, I, H. A. Wallace, Secretary of Agriculture, do prescribe and promulgate the following rules and regulations governing the inspection and certification of seed for class and origin, to be in force and effect on and after August 1, 1939, and as long as Congress shall provide the necessary authority therefor, unless amended or superseded by rules and regulations hereafter prescribed and promulgated under such authority. These rules and regulations shall supersede the rules and regulations governing origin-verification of seed approved by the Secretary of Agriculture on July 25, 1933, and amendments thereto.

Subpart A - DEFINITIONS

Section 59.1 Meaning of words. Words in these regulations in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

59.2 Terms defined. For the purposes of these regulations, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) The Act. The following provision of an act of Congress entitled "An act making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes," approved June 30, 1939, (Public No. 159, 76th Congress), or any future act of Congress conferring like authority: "For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of business men or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits and vegetables, whether raw, dried, or canned, poultry, butter, hay, or other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: Provided, That certificates issued by the authorized agents of the Department shall be received in all courts of the United States as prima-facie evidence of the truth of the statements therein contained."

(b) Person. Individual, association, partnership, or corporation.

(c) Secretary. Secretary or Acting Secretary of Agriculture of the United States.

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(d) Service. Agricultural Marketing Service of the United States Department of Agriculture.^{1/}

(e) Seed. Alfalfa seed, red clover seed, and such other kinds of seed used for planting purposes as may be designated by the Chief of the Service.

(f) Class and origin. The designation of the class of seed as to kind, i. e., alfalfa, red clover, and the class as to origin or place where grown, i. e., one or more States, political subdivisions of a State, or Districts prescribed or approved by the Chief of the Service, e. g., Ohio; Millard County, Utah; eastern Oregon.

(g) Inspector. Employee of the U. S. Department of Agriculture or other person authorized by the Secretary to investigate and certificate the class and origin of seed under the act.

(h) Grower. Any person who has produced the seed in question on his own farm or on a farm operated by him, or who is a seed-crop sharer in such seed.

(i) Shipper. Any person who purchases seed of the kind in question in his locality or district where a surplus of this seed is usually produced, and who ships such seed to other shippers or to general seed dealers.

(j) General seed dealer. Any person who buys and sells seed of miscellaneous kinds either at wholesale or at retail.

(k) Verified-origin seed dealer. A seed dealer who is authorized under these regulations and instructions to issue verified-origin seed certificates for seed inspected as to origin for him.

(k-1) Records. Documents, books, statements, tags, labels, declarations, reports, invoices, seed samples, or any other matter in any form used to record business transactions, operations, or to furnish information for use in the operation of the business of the grower, shipper or dealer, or prepared or issued in compliance with these regulations and instructions as to the movement, origin, quality, or identity of lots of seed grown, handled or moving in commerce.

(k-2) Lot of seed. A quantity of seed more or less defined as to source, use or disposition and identified by a lot number, e. g., grower's lot, milled lot, blended lot, bulk lot, cleaned lot, etc. For the purpose of identification of seed in a verified-origin seed certificate or in an analysis tag or label issued in compliance with these regulations and instructions, a "lot of seed" shall be a quantity of seed of which a sample taken from any part of the lot will be identical, within tolerances defined in U. S. Department of Agriculture Circular 480, as to source, origin, germination, purity and all other factors with a similar sample taken from any other part of the lot.

^{1/} Transferred to Production and Marketing Administration by order of the Secretary August 20, 1945.

(k-3) Lot number. The number, letter, or any combination of numbers or letters, or any other symbol by which a lot of seed is identified until such identity is lost or the number changed as a matter of record.

(k-4) Verified-origin seed. Seed which has been verified as to origin by a Federal seed inspector and which meets quality specifications for seed to be covered by a verified-origin seed certificate under these regulations and instructions.

(l) Declaration of origin. A declaration in a form approved by the Chief of the Service either of a grower stating that he is the grower of the seed in question and certifying to the correctness of certain facts given by him, or of a shipper stating that he has obtained the seed in question from a grower or another shipper and also stating among other things that the facts given by him are correct to the best of his knowledge and belief, and that the place where grown and identity of each lot are properly covered in his records, which will be made accessible for verification by a Federal seed inspector at any time upon request.

(m) Inspection certificate. A certificate of the class and origin of seed issued by an inspector under the act, which certificate is not transferable.

(n) Verified-origin seed certificate. The commercial certificate of the class and origin of seed, based upon one or more inspection certificates previously issued, and which accompanies one or more parcels of seed, issued under the act by a verified-origin seed dealer or an inspector, in accordance with these regulations and instructions.

(o) Interested party. A State or any person who has a financial interest in the seed involved, including all carriers and warehouses which have handled or will handle the seed, the present owner or persons who owned the seed prior to him, and persons to whom the seed has been sold and whose acceptance thereof hinges on the inspection.

(p) Regulations. Rules and regulations of the Secretary governing the certification of seed as to class and origin under the act.

(q) Instructions. Instructions of the Chief of the Agricultural Marketing Service issued under these regulations.

Subpart B - ADMINISTRATION

59.3 Chief of Service. The Chief of the Agricultural Marketing Service is charged with the supervision of the performance of all duties arising in the administration of the act.^{2/}

^{2/} Administration delegated to Assistant Administrator for regulatory and marketing service work, Production and Marketing Administration, August 27, 1945.

Subpart C - WHERE SERVICE IS OFFERED

59.4 Where service is offered.

(a) Service points. Seed meeting the requirements of these regulations and instructions may be verified as to class and origin, and inspection certificates issued at points indicated in paragraphs (b) and (c) of this section.

(b) Designated markets. Washington, Chicago, Kansas City, Minneapolis, Cincinnati, Denver, Los Angeles, San Francisco, Portland, Seattle, Spokane, and Ogden are hereby designated as important central markets at which inspectors are located and available for making inspections. Other important markets at which inspectors will be available may be designated by the Chief of the Service from time to time.

(c) Other points. Places where verified-origin seed dealers are located.

Subpart D - INSPECTION

59.5 Basis of inspection. Inspection for class and origin shall be based upon such examination of records, and be made under such conditions and in accordance with such methods, as may be prescribed or approved by the Chief of the Service.

59.6 Who may obtain inspection. An application for the inspection of seed under the act may be made by a State, a verified-origin seed dealer, or any other interested party who has complied with the regulations and instructions pertaining to the making of such application.

59.7 How application should be made. Application for inspection of seed under the act shall be made in writing, on forms approved by the Chief of the Service. Such applications shall be sent to the inspector in the designated market which most conveniently serves the applicant.

59.8 Form of application. The written application for inspection of seed as to class and origin under the act shall be in English, in a form prescribed by the Chief of the Service, and shall include the following information: (a) date of application, (b) name and post-office address of applicant, (c) kind of seed, (d) name of grower, shipper or dealer making shipment, (e) shipping point and post-office address of person making shipment, if different from shipping point, (f) date of shipment, (g) shipper's lot number, (h) applicant's lot number, (i) weight in pounds, (j) place where grown, (k) kind of declaration or assurance of origin furnished applicant; if assurance accompanying shipment is a verified-origin seed certificate, the name or symbol of the verified-origin seed dealer should be given if different from the seller or person making shipment, and (l) such other information as the inspector or Chief of the Service may require.

59.9 When an inspection may be refused. An application may be rejected by the inspector with whom it is filed or by the Chief of the Service for any non-compliance with the act, with these regulations or instructions, or whenever an inspector is not available for making the inspection, or whenever the evidence is insufficient upon which to determine the correct origin.

59.10 Certificates; issuance. The inspector shall sign and issue an inspection certificate for such lot or lots of seed as are included in the application, the class and origin of which are covered by approved growers' or shippers' declarations of origin, verified-origin seed certificates, or other approved assurances of class and origin furnished by the applicant in compliance with instructions.

59.11 Communicating certificate information. Upon request from an applicant for whom an inspection has been made, any part of the contents of the certificate may be telegraphed or telephoned to him at his expense.

59.12 Disposition of certificates. The original inspection certificate, immediately upon its issuance, shall be delivered or mailed to the applicant; one copy shall be filed in the office of the inspector and one copy forwarded to the supervising inspector, Washington, D. C.

59.13 Corrected inspection certificates. A corrected certificate shall be issued for any lot or lots of seed under conditions outlined in paragraphs (a) and (b) of this section.

(a) Correction by applicant. Whenever an applicant for whom an inspection has been made believes the class or other information in connection with any lot or lots of seed, as stated in an inspection certificate issued to him, is not correct, and returns the certificate covering such lot or lots of seed with a corrected application under the same serial number and covering all lots of seed in the original certificate which are eligible for verification, the inspector will investigate the applicant's claims and if he finds them correct he will issue a corrected certificate.

(b) Correction by inspector. Whenever an inspector finds that the class and origin for a lot or lots of seed, or any of the information upon which the class and origin of such lots have been based in an inspection certificate, is incorrect or incomplete, he may request the applicant to return the incorrect certificate with a corrected application under the same serial number and covering all lots of seed in the original certificate which are eligible for verification, and shall then issue a corrected certificate covering the lot or lots in question, and shall retain the original in his files.

Subpart E - FEES AND CHARGES

59.14 Fees and charges for inspections. The fees and charges to be collected for class and origin inspections of seed and method of payment shall be fixed by the Chief of the Service and published in accordance with Section 59.16.

59.15 Repealed.

Subpart F - MISCELLANEOUS

59.16 Publications. Publications under the act and these regulations shall be made in Service and Regulatory Announcements of the Agricultural Marketing Service and in such other media as the Chief of the Service may from time to time designate for the purpose.

59.17 Seeds and records made accessible. The applicant shall cause the seed and/or records covering the lots for which inspection is requested, and such other seed and/or records covering other lots of the same kind of seed as that for which inspection is requested which are now or have been owned or stored by the applicant, to be made accessible for examinations or inspection, when requested by the inspector.

59.18 Authority of agents. Proof of authority of any person applying for inspection on behalf of another may be required, in the discretion of the inspector.

59.19 Certificate superseded is void. When an inspection certificate has been superseded under these regulations by a corrected certificate no inspection certificate or verified-origin seed certificate issued prior thereto for any corrected lot or lots shall thereafter represent the class and origin of the lot or lots of seed described therein on which incorrect or incomplete information was given. If the original of the superseded certificate is not delivered to the inspector issuing the corrected certificate and proper assurance is not given of the cancellation or correction of verified-origin seed certificates which were based upon such incorrect certificate, the inspector issuing the corrected certificate or the Chief of the Service shall take such action and give such notice of the issuance of such corrected certificate and cancellation of the original inspection certificate or certificates and invalidation of corresponding verified-origin seed certificates as he considers necessary to prevent misrepresentation or fraud.

59.20 Misrepresentation. Any misrepresentation or any deceptive or fraudulent practice made or committed by an applicant for inspection or by any other person regarding any seed or in connection with the verification of origin of seed covered or to be covered by an inspection certificate, or failure in any way to comply with the regulations and instructions, may be deemed sufficient cause for debarring such person from any further inspections under the Act, or from the use of verified-origin seed certificates in the merchandising of alfalfa and red clover seed, or from having any declarations of origin issued by him accepted on which to base verification of origin in the Seed Verification Service, and public notice thereof may be given.

59.21 Political activity. All samplers and inspectors authorized either by appointment, or license from the Secretary of Agriculture to draw official samples of seed or to issue inspection certificates under the act and these regulations are forbidden, during the period of their appointment or license, to take an active part in political

management or in political campaigns. Political activity in city, county, State, or national elections, whether primary or regular, or in behalf of any party or candidate, or any measure to be voted upon, is prohibited. This applies to all appointees, including temporary and cooperative employees, and employees on leave of absence with or without pay. Willful violation of this regulation will constitute grounds for dismissal in the case of appointees, and revocation of licenses in the case of licensees.

59.22 Inspection records confidential. Records of inspection, including copies of certificates issued, records of such certificates, applicant's accounts, and other detailed information relating to the work of an inspection office are not to be made available to or to be opened for examination by any person who is not connected with the inspection service. Such records are to be held strictly confidential for reference by the inspector in charge of the office and his assistants and by the supervising inspector. Summarized reports which do not disclose the operations of an individual grower, shipper, or other applicant for inspection and which are identified clearly as to source and contents may be released to the public, provided that when so released they shall be published in such manner and in such mediums as will make the information available alike to all interested persons.

Done at Washington, D. C., this 26th day of
July, 1939. Witness my hand and the seal of the
Department of Agriculture.

/s/ H. A. Wallace

Secretary of Agriculture.

INSTRUCTIONS OF THE ASSISTANT ADMINISTRATOR FOR REGULATORY AND MARKETING
SERVICE WORK, PRODUCTION AND MARKETING ADMINISTRATION, UNITED STATES
DEPARTMENT OF AGRICULTURE, GOVERNING ORIGIN VERIFICATION OF ALFALFA AND
RED CLOVER SEED

Acting under the authority vested in me by section 59.3 and other sections of Title 7, Chapter I, Part 59, Code of Federal Regulations (sections 59.1 - 59.22), the following instructions are hereby issued to be in force and effect on and after September 7, 1945.

RULE 1

AUTHORIZATION AND REQUIREMENTS TO ISSUE VERIFIED-ORIGIN SEED CERTIFICATES

Section 1. Enrollment as verified-origin seed dealer.—Applications by seed dealers for authorization to issue verified-origin seed certificates for any fiscal year (July 1 to June 30) must be received by the Assistant Administrator not later than September 1 of the same year; provided that for good and sufficient reason the Assistant Administrator, at his discretion, may accept and approve applications received after September 1. The seed dealer must have his methods of handling seed stocks and records examined and approved by an inspector and agree to the following before he is authorized to act as a verified-origin seed dealer:

- (a) To conform to the letter and spirit of these regulations and instructions and to such other instructions relating thereto as may be issued;
- (b) To confine his purchases of alfalfa seed, so far as possible, to lots of seed eligible for verification, to endeavor to obtain acceptable assurances of origin for all such lots, and to submit inspection certificate applications for all those lots, except State certified and sealed seed and imported seed, regardless of what disposition is to be made of those lots;
- (c) To keep such records as are necessary to verify the origin of seed, and to make them available for inspection by an inspector upon request as provided in section 59.17 of the regulations;
- (d) To pay the fees for inspection certificates and such fees and charges for other services in connection therewith as shall be approved by the Assistant Administrator;
- (e) To provide tag verified-origin seed certificates in the prescribed form without cost to the Government, and to keep records of and to furnish such information regarding their use as may be requested;
- (f) To issue verified-origin seed certificates for all verified-origin alfalfa seed shipped or sold by him except as otherwise provided in these instructions; and
- (g) To use verified-origin seed certificates and the privilege of issuing them solely for such purposes as may be considered proper, ethical, and legal.

Section 2. Who may issue verified-origin seed certificates:

- (a) A verified-origin seed dealer who holds valid inspection certificates issued to him by an inspector.
- (b) A verified-origin seed inspector may issue verified-origin seed certificates and attach or supervise the attaching of them to bags or other containers of a given lot of seed which has been verified as to origin by him or by another inspector.

Section 3. Applications of branch establishments or subsidiaries.--

Branches or subsidiaries of a verified-origin seed dealer operating under the same name or under names different from that of the parent establishment, in different localities and keeping independent records, will be considered as independent establishments and shall file separate applications for enrollment if they wish to become verified-origin seed dealers. Branch-purchasing or selling stations operating under the same name, closely associated with the parent institution, and not operating with an independent set of records need not file a separate application, in which case they will operate under the same application and will be governed by all the regulations and instructions applicable to verified-origin seed dealers.

Section 4. Seeds which may be verified.--Alfalfa and red clover seed, singly or in any combination, produced in the United States may be verified.

Section 5. Definition of terms.

- (a) Kind of seed means the commonly accepted name, e.g., alfalfa, red clover, without the name of any variety or other descriptive matter.
- (b) Origin means the State or States or designated portions thereof where the seed was grown.
- (c) Lot number means the number, letter, or any combination of numbers or letters, or any other symbol by which a lot of seed is identified.
- (d) Declaration of origin means a declaration of a grower or country shipper stating for each lot of seed (a) kind of seed; (b) lot number or other identification; (c) State where seed was grown and the county where grown if it is to be labeled showing the origin as a portion of a State; (d) quantity of seed; (e) date shipped or delivered; (f) to whom sold, shipped, or delivered; and (g) signature and address of the grower or country shipper issuing the declaration.
- (e) Country shipper means one who confines his purchases of seed to that produced in his own locality for shipment to seed dealers or to other country shippers.

RULE 2

USE OF LOT NUMBER

Section 1.—Numbers, with or without letters, constitute the best and simplest system of designations.

- (a) It is recommended that a continuous series of numbers be used by verified-origin seed dealers for 3 years or more so that there will be little or no likelihood that numbers of lots will be duplicated by the same dealer in successive years.
- (b) When a lot of seed is cleaned or blended with other lots and thereby loses its former identity, the new lot so formed shall be given a new lot number and the record shall show all lots or parts of lots and quantity of each used in the cleaned or blended lot.
- (c) The lot designation shall be stenciled on all bags of seed verified as to origin, regardless of whether or not verified-origin seed certificates are attached.

RULE 3

ASSURANCE OF ORIGIN

Section 1.— Any verified-origin seed dealer or shipper accepting a declaration from a grower or shipper shall, for his own protection and the protection of the Seed Verification Service, Grain Branch, Production and Marketing Administration, hereinafter called the Seed Verification Service, assure himself, so far as possible, that the declaration is authentic and valid. The following named documents may be accepted by an inspector as a basis to verify the origin of seed:

- (a) Grower's declaration. If the declaration is issued by a grower and the identity of the person delivering the seed is unknown to the receiver, the motor-vehicle license number or other identification of the delivering agency should be entered on the declaration by the receiver. Sample form on page 20. No other form should be used.
- (b) Country shipper's declaration. If the declaration includes seed shipped or delivered to the country shipper by another country shipper, it shall give for each lot the other country shipper's lot number as included in his declaration of origin. Sample form on page 21. No other form should be used.

Declarations will not be accepted from country shippers of alfalfa seed produced north of the southern boundary of Oregon, Idaho, Wyoming, Nebraska, and eastward north of the 40th degree of latitude if they have handled seed produced south of the 40th degree of latitude in the State of California, and south of the southern border of Nevada, Utah, Colorado, Kansas, Missouri, Kentucky, and Virginia after July 1 of the year next preceding the year of production.

- (c) Verified-origin seed certificates. Invoice form certificates are used primarily between verified-origin seed dealers. Tag form certificates may be accepted from a non-verified origin seed dealer if there is no indication that the contents of the bag have been tampered with and if the tag certificate is correct and properly attached to the bag.

RULE 4

ORIGIN DESIGNATIONS AND DISTRICTS

The origin or place where seed was grown may be given in any of the ways described below:

(a) State or States of origin. A single State or 2 or 3 States may be given as the origin, provided the northern boundary of the most southern State is on the same latitude or north of the southern boundary of the most northern State, with the following exceptions:

(1) For red clover seed, the country will be divided into 3 general seed-producing areas or divisions. The Western Division will include western Oregon and western Washington. The Rocky-Mountain Division will include Montana, and all States, or portions of States, west and south of that State, except western Oregon and western Washington. The Eastern Division will include all States east of the Rocky-Mountain Division. Red clover seed grown in one division will not be eligible to carry verified-origin seed certificates if blended with seed produced in either of the other divisions.

(2) Alfalfa seed grown in California may be blended with that produced in other States only on the basis of production by California districts. (Paragraph (b) (3)). Each California district shall be considered as though it were a separate State.

(b) Designated portions of States. When designated portions of certain States are set up as special districts for indicating origins the declaration on which the statement is based shall give the name of the county or counties in which the seed was produced. The following special districts are hereby established:

(1) Oregon and Washington. Those portions west of the Cascade Range may be designated as "Western Oregon" and "Western Washington," respectively; those east may be designated "Eastern Oregon" and "Eastern Washington."

(2) Northern Neck of Virginia. That portion between the Potomac and Rappahannock rivers comprising the counties of Lancaster, Northumberland, Richmond, Westmoreland, King George, and Stafford, and the adjoining counties of Essex and Middlesex may be designated the "Northern Neck of Virginia," the term commonly applied to that area.

(3) California. Those counties north of the 40th parallel, including the counties of Tehama and Plumas may be designated "Northern California." That portion south of northern California and north of the southern boundary of Monterey, Kings, Tulare, and Inyo counties may be designated "Central California." That portion south of central California may be designated "Southern California." That portion of the western part of Riverside county, included in and adjacent to the Hemet, Lurietta, Perris, and Temecula valleys may be designated the "San Jacinto Mountain Valleys, California."

(4) Michigan. That portion north of and including the counties of Oceana, Nowaga, Mecosta, Isabella, Midland, East Tuscola, and Sanilac may be designated "Northern Michigan" and that portion south of those counties may be designated "Southern Michigan."

(5) Northern part of State. Except as provided for California and Michigan, that portion of any State made up of the counties which lie entirely north of an east-west line drawn half way between the northern and southern extremities of the State may be designated by the word "northern" and the State name, for example, "Northern Illinois." That portion south of the northern portion would likewise be designated "southern."

(c) Counties. A single county or any group of adjacent counties, or counties in a single restricted producing area, may be given as origin provided such county or counties are given as the origin in the declaration on which the statement is based.

RULE 5

INSPECTION CERTIFICATES

Section 1. Application.--All lots of alfalfa seed eligible for verification, except State certified seed, shall be covered by inspection certificates even though they may have been purchased in part or entirely by a verified-origin seed dealer for the account of another firm or person.

Section 2. Form of inspection certificate.--The form of inspection certificate (page 22) as prescribed by the Seed Verification Service for verified-origin seed dealers serves 2 purposes, namely, an application for inspection and an official inspection certificate. It constitutes an application for inspection which it is filled in by a verified-origin seed dealer with the information required for verification of origin of the lot or lots of seed and forwarded to an inspector. Shipper's declarations should be forwarded with the inspection application and will be returned to the applicant. When the inspector has examined and approved the application, with or without exceptions, as evidenced by his signature, it becomes an official inspection certificate.

Section 3. When certificate applications should be made.--Applications for the verification of origin of alfalfa and red clover seed shall be made immediately after the seed has been purchased by, or comes into the possession of, the applicant.

Section 4. Preparation of inspection certificate.--An inspection certificate shall be prepared by the applicant in accordance with the sample form on page 22. Only one kind of seed shall be included in each application. The weight given shall be the receiving weight (without deduction for dockage or cleaning) and shall correspond closely with that shown in the declaration of origin. If the assurance of origin is a tag, verified-origin seed certificate the applicant shall make, on the line below that covered by the lot in question, the following or a similar notation: "Tag certificates properly attached and no evidence that contents of bags have been tampered with." The name or symbol of the verified-origin seed dealer appearing on the tag certificate shall also be shown.

Section 5. Serial number and symbol.--Each verified-origin seed dealer shall be assigned a 2-letter symbol, which when combined with a serial number beginning with number one shall constitute the inspection certificate number. This is entered in the upper right hand corner of certificate.

Section 6. Corrected inspection certificate.--In the case of a corrected inspection certificate the serial number shall be the same as that of the original certificate with the word "corrected" written above the number.

Section 7. Inspection certificates are not transferable.--They shall be retained by the verified-origin seed dealer in his files as the evidence of origin upon which to base the issuance of verified-origin seed certificates.

RULE 6

VERIFIED-ORIGIN SEED CERTIFICATES

Section 1.--The verified-origin seed certificate is the commercial document issued by a verified-origin seed dealer to the buyer verifying the origin of alfalfa and red clover seed. There are 2 forms of certificates: Invoice form and tag form, as follows:

- (a) Invoice form. The invoice form of verified-origin seed certificate is used primarily between verified-origin seed dealers to eliminate the necessity of attaching tag certificates. Shipments of verified-origin seed from one verified-origin seed dealer to another must be accompanied by an invoice form verified-origin seed certificate whether or not tag certificates are attached. In no event shall an invoice form verified-origin seed certificate be issued unless the lot of seed, or components thereof, have previously been covered by an official inspection certificate. A sample form of invoice verified-origin seed certificate is presented on page 23.
- (b) Tag form. All verified-origin seed of a quality equal to or better than the standards specified below shall bear tag verified-origin seed certificates except seed shipped to other verified-origin seed dealers or to dealers who file written request not to have such tags attached:

Quality requirements: The seed shall contain (1) not over 2 percent of impurities other than crop seeds; (2) not over 1 percent of weed seeds; and (3) not over 3 percent of any one kind, or a total of over 5 percent, of crop seeds other than alfalfa and red clover. The total germination and hard seed shall not be less than 80 percent. The seed shall also be of the size, plumpness, color, and shall have the other physical characteristics which ordinarily distinguish seed of good quality. Each lot of cleaned seed shall be uniform throughout, so that a sample taken from any portion of the lot will, within tolerances, represent the quality and condition of the entire lot.

- (c) Attaching tag certificates. Tag verified-origin seed certificates shall be attached securely to the bags in such manner that the bags cannot be opened without indicating that fact. For this purpose the tag may have one end of it machine-sewed into the bag or it may be attached by means of a seal to the loose ends of the string used to tie or machine-sew the bag, or in any other manner which will prevent the opening of the bag, or the removal of the tag without breaking the seal,

Tag verified-origin seed certificates must not be sent by mail or otherwise supplied by verified-origin seed dealers for attaching to shipments of verified-origin seed to persons other than employees or members of the firm issuing the tag certificates except under specific authorization by an official of the Seed Verification Service.

- (d) Specifications for tag certificates. Tag certificates shall be printed in red and black on white material, which may be of strong paper, cardboard, or cloth. To insure uniformity, verified-origin seed dealers shall obtain from an inspector the names of the engravers or tag companies holding plates in the approved form for printing verified-origin seed certificates. The tag certificates for attaching with seals shall be of the size commonly known as No. 6 (5-1/4" x 2-5/8"). However, a smaller size, No. 5 (4-3/4" x 2-3/8") or a larger size, No. 7 (5-3/4" x 2-7/8") may be used in special cases. Those for sewing in bags may be of the same width as either of the above and of a length necessary to provide sewing margin.

Two forms of tag certificates may be used. A verified-origin seed dealer may use either or both of these forms. The design and printing common to both forms are shown in black on page 23. The portions to be printed in red and black are not indicated. One form shall give the name and address of the verified-origin seed dealer. The other form shall not show the name of the verified-origin seed dealer but shall show the name and address of the branch office of the Seed Verification Service district in which the dealer is located and the dealer's 2-letter symbol following "Lot No.," for identification.

Section 2. Correcting verified-origin seed certificates.--If, for any reason it is necessary to issue a corrected certificate the following procedure shall be followed:

- (a) Correcting invoice certificate. The verified-origin seed dealer shall request the buyer to return the incorrect invoice certificate and shall forward another invoice certificate with the words "Corrected certificate" placed above the new number and the statement "This certificate is issued in lieu of and supersedes Certificate No.**." following the listing of the lots in the certificate.
- (b) Correcting tag certificates. The verified-origin seed dealer or his representative may remove and destroy the incorrect certificates and seal correct certificates to the bags or other parcels of seed. A report of this operation should be made to the inspector. Or, he may prepare slips of white gummed paper about 7/8 inch wide and 4 to 4-1/2 inches long in the following form:

Correction of Verified-origin Seed Certificate
Kind of seed _____ Lot No. _____
Where grown _____
(Dealer's name and address)

and transmit them to the buyer with instructions to stick them to the incorrect tags immediately below the line showing the lot number so that when attached the lot number will appear on both the original incorrect certificates and on the correction slips.

RULE 7

VERIFIED-ORIGIN SEED DEALER'S REPORT

Section 1. Purpose of report.--The verified-origin seed dealer's report is the dealer's method of reporting the cleaning and blending of any verified-origin seed lots, which thereby, acquire a new lot number.

Section 2. When report shall be made.--Verified-origin seed dealers shall make a report on the form provided (page 24) at the end of each week during which new lots of verified-origin seed are prepared. In no event shall the lot number of a blended lot be entered on an invoice verified-origin seed certificate until that lot number has been reported on a dealer's report.

Section 3. Form and numbering of report.--A sample form "Verified-origin Seed Dealer's Report" is presented on page 24. These reports shall be numbered consecutively from year to year, beginning with number one. The 2-letter symbol assigned to the dealer shall be a prefix to the number. Each sheet constitutes a new report and shall be given a new number.

Section 4. Preparation of report.--In order to expedite the auditing of records as to quantities and percentages of origins in blends, the quantities of seed of each component lot used to make the new lot shall be indicated on the report. When a lot to be reported consists only of lots shown on inspection certificates, all such lots should be listed in the sixth column of the report. When a lot consists wholly or in part of lots previously included on a dealer's report, they should be listed in the seventh column of the report.

RULE 8

RECORDS

Section 1. Dealers' records.--The following kind of records and information, in addition to acceptable assurances of origin, shall be maintained by verified-origin seed dealers to enable an inspector to trace the source and disposition of every lot of seed handled and the source of all information pertaining to such seed, whether or not it has been verified as to origin:

- (a) Receiving record. Kind of seed, lot number, weight, date lot was received, and name and address of person making shipment to the verified-origin seed dealer.
- (b) Blending and cleaning record. Kind of seed, new lot number or numbers, weight and origin of a new cleaned or blended lot; lot number, weight and origin of original lot before cleaning or of component lots used in making up a blended lot; weight of screenings discarded and date blending or cleaning was done.
- (c) Stock record. Kind of seed, number of certificate or dealer's report covering lot, lot number, origin, weight of lot as received or when first offered for sale, individual sales or other disposition in pounds or bags of this lot according to dates the parcels were sold, or according to invoice numbers covering the sacks, and remaining on hand either stated or readily computed.

- (d) Labeling record. Source and identity of all items of information given on the label.
- (e) Shipping record. Kind of seed, lot number, weight, date lot was shipped or sold, and name and address of person or firm to whom shipped or sold.
- (f) Sample record. A sample, two ounces or more in weight, of each lot prepared or offered for sale shall be kept for at least one year after the complete disposition of the lot. A sample shall also be retained of each lot purchased directly from a grower when such seed is covered by a declaration of origin and has not been produced in the vicinity of the dealer's place of business. The sample envelope should indicate lot number and origin.
- (g) Storage record. Seed of the kind or kinds being verified as to origin in the process of cleaning, or in storage, by verified origin seed dealers, shall be handled or piled in a room with adequate lighting so that the bags of each lot may be readily identified. If all bags are not marked or tagged, a sufficient number shall be legibly tagged or stenciled with lot numbers for the purposes of identification. Where many lots are stored in one or more warehouses adequate records shall be kept of in and out movement and location of the seed in the warehouses.

Section 2. Country shippers' records.--A country shipper shall retain a copy of each declaration which he issues and shall attach thereto a detailed record showing the names and addresses of growers or country shippers from whom the seed was purchased, the quantity of seed purchased from each, and the date on which it was delivered. He shall also keep the original grower's and country shipper's declarations received by him.

Each country shipper shall retain a sample of each lot of seed not produced locally and which is covered by a declaration of origin. Whenever a shipper does cleaning or blending of seed his receiving or blending records shall show the components of the blended lot and such other information necessary to establish the origin and identity of components and of the final lot.

Section 3. General shipper and seed dealer records.--A general seed dealer functioning as a country shipper is required to keep such records as are required of a verified-origin seed dealer and shall meet all the requirements of the Federal Seed Act and the regulations thereunder as if the seed was shipped in interstate commerce.

RULE 9

SCHEDULE OF FEES

Section 1. Fees and charges.--The fees and charges for the inspection of alfalfa and red clover seed for class and origin are as follows:

- (a) An advance deposit of \$25 is required with each application of a seed dealer for the privilege of issuing verified-origin seed certificates. This deposit applies on the regular fees provided under (b) of this section. If the application is received prior to September 1 of the fiscal year (July 1 - June 30) for which it is made only one \$25 deposit is required for either alfalfa or alfalfa and red clover seed. If a verified-origin seed dealer for alfalfa seed wishes to file an application after September 1 for red clover seed, he may do so by depositing an additional \$25 and by paying the necessary travel and other expenses of the inspector to examine his records and stocks, the deposit so made, but not the expenses, to apply towards the fees for red clover seed as provided under (b) of this section. Applications received after September 1 for alfalfa or alfalfa and red clover seed ordinarily will be refused. The Assistant Administrator will use his discretion, however, in approving such applications in unusually meritorious cases.
- (b) The fee for inspection for class and origin of one or more lots of seed of one kind included in one application from a verified-origin seed dealer shall be 3 cents per 100 pounds (receiving weight) with a minimum fee of \$1 for each certificate.

RULE 10

MISCELLANEOUS

Section 1. Advertising.--Verified-origin seed dealers are permitted to advertise verified-origin alfalfa and/or red clover seed in their catalogs, price lists, etc., provided, the advertising is not false or misleading in any particular.

Section 2. Forms of misrepresentation.--Misrepresentation of any facts as to origin or identity of verified-origin seed or of any other seed purporting to be verified-origin seed by verified-origin seed dealers or others or of any seed offered for sale or sold to a verified-origin seed dealer or shipper under a declaration of origin by a grower or shipper is prohibited. The issuance of a verified-origin seed certificate by a verified-origin seed dealer before an inspection certificate has been issued for the lot of seed covered by such certificate is a misrepresentation for which the penalty for misrepresentation may be invoked.

Seed shall not be represented to be verified-origin seed unless it has been covered by an inspection certificate signed by a verified-origin seed inspector even though it may have been covered by a grower's, shipper's, or State official's declaration of origin. In the case of the ultimate purchaser or dealer who is not a verified-origin seed dealer, seed is not

verified-origin seed unless it bears a tag verified-origin seed certificate properly attached. The term "verified seed" shall not be used instead of "verified-origin seed" as it is likely to be confusing, if not misleading, to the buyer who may not know that verification as to origin alone is covered by the Seed Verification Service even though standards of quality are established for seed bearing tag verified-origin seed certificates.

Section 3. Reporting of improper use of Service.--It shall be the duty of every inspector and verified-origin seed dealer to report to the Assistant Administrator each and every instance of improper, incorrect, or unauthorized issuance or use made of any verified-origin seed certificate or declaration of origin, or similar reprehensible practice in connection therewith. Any inspector who fails to report such use or practice known to him shall be subject to discipline.

In testimony whereof I have hereunto set my hand in the City of Washington on the 7th day of September, 1945.

/S/ C. W. Kitchen

Assistant Administrator

GROWER'S DECLARATION
of
Origin, Kind, Variety or Type

(Declarations of ORIGIN are required for alfalfa, red clover, and corn, other than hybrid corn. Declarations of KIND, VARIETY, or TYPE are required only when the seed is being sold under the name of a KIND, VARIETY, or TYPE that cannot be determined by the appearance of the seed.)

In accordance with the regulations under the Federal Seed Act, I, the grower of the seed described below, do hereby declare that the facts stated are correct to the best of my knowledge and belief.

Kind of seed _____ Variety 1/ _____ Type 1/ _____

My lot number or mark _____ Bags _____ Pounds _____

Where grown: County _____ State _____

Seed sold to _____ P.O. Address _____

Shipped or delivered to _____ Place _____

Date shipped _____ 19____ or delivered _____ 19____

1/ The grower should have adequate information to support his naming of the variety or type. Not having such information the variety or type should not be stated.

(To be filled in by purchaser) : Signature of grower _____

Auto : _____

Tag: State _____ No. _____

Purchaser's receiving Lot No. _____ : P.O. _____ State _____

Note: A copy of this declaration should be retained by the grower.

(This form of declaration is not supplied by the Seed Verification Service but may be supplied by seed dealers.)

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COUNTRY SHIPPER'S DECLARATION OF ORIGIN
and record of
KIND, VARIETY OR TYPE OF SEED

(A declaration should cover only one kind of seed)

In accordance with the regulations under the Federal Seed Act, I, the country shipper of the seed described below, do hereby declare that the facts stated are correct to the best of my knowledge and belief.

[illegible]

1/ When a lot is grown in more than one State, the name and the percentage of seed grown in each State shall be given.

2/ The shipper should have adequate information to support his naming of the variety or type. Not having such information, the variety or type should not be stated. For seed purchased from a grower, the shipper should have the grower's declaration, when the variety or type cannot be determined by the appearance of the seed. The word "Type" shall be used when the seed is named as to "Type."

3/ Indicate for each lot by means of a cross (X) in the proper column the kind of declaration or assurance of origin held by you. An (X) in column 7 to indicate a grower's declaration; in column 8 to indicate that your assurance is based on your personal knowledge of the grower and where the seed was grown; and in column 9 that another shipper's declaration is held by you. Column 10 should ALWAYS be filled in when an (X) has been shown in column 9.

Seed sold, shipped or delivered to: Country shipper issuing this declaration

P.O. _____ State _____ : By _____
Date shipped _____ :
or delivered _____ 19 _____ : P.O. _____ State _____

Form FDA-190
(Superseding G. S. 300)

UNITED STATES DEPARTMENT OF AGRICULTURE
SEED VERIFICATION SERVICE

No. AB-1
ORIGINAL



INSPECTION CERTIFICATE

For alfalfa Seed

Applicant (Firm) Alfalfa Seed Co. Address Kansas City, Missouri

NAME OF PERSON OR CONCERN MAKING SHIPMENT OR DELIVERY	SHIPPING POINT AND P. O. ADDRESS	Date of Shipment or Delivery	Shipper's Lot No. or Mark	Our Receiving Lot No.	Pounds	WHERE GROWN	
						Place	Decl.
John Doe (If person making shipment is a traveling representative of the applicant, such fact shall be indicated by writing the firm name enclosed in parenthesis below that of the representative) Example: John Doe (Alfalfa Seed Co.)	Hutchinson, Kansas	6/1/45	123	456	3000	Kans.	S
(ALL COLUMNS MUST BE COMPLETED)							
<p>(This form of certificate is supplied by the Seed Verification Service to verified-origin seed dealers on request. Applications on this form should be made in quadruplicate. Three copies are forwarded to the verified-origin seed inspector in the district in which the applicant is located. The inspector shall sign all 3 copies and return the original to the applicant, transmit one copy to the Washington office, and retain the other copy for his file.)</p>							

¹ Give post-office address below shipping point when different from the shipping point.

² Indicate declaration of grower by "G"; shipper by "S"; verified-origin seed certificate by "V"; certificate of State or Federal official by "O"; or other acceptable document by "X"

I certify that I have been designated to represent the applicant for this certificate, that the above statements have been accurately transcribed from the records of the applicant, and that the facts stated above are correct to the best of my knowledge and belief.

Name Alfalfa Seed Co.
(Signature of person
Office or position authorized to sign)

Date 6/3/45

I certify that in compliance with the rules and regulations of the Secretary of Agriculture governing the inspection and certification of seed for class and origin pursuant to the act making appropriations for the United States Department of Agriculture, I inspected on this date the above statements and records of the applicant for the lots of seed indicated and that they give the necessary evidence of origin and identity in conformity with the instructions of the Assistant Administrator, Production and Marketing Administration governing origin verification of seed, except as stated below:

Fee, \$ _____ Place _____ Date _____

This certificate, bearing the signature of an authorized inspector, is receivable in all courts of the United States as prima facie evidence of the truth of the statements herein contained.

VERIFIED-ORIGIN SEED CERTIFICATE

Issued by Authority of the

Nº 6764

UNITED STATES DEPARTMENT OF AGRICULTURE

ORIGINAL

This certifies that a Federal seed inspector has examined the necessary records and has verified the origin of the lot or lots of seed as indicated below. This covers ORIGIN ONLY—NOT VARIETY, QUALITY, PURITY, or GERMINATION.

KIND OF SEED	Lot No.	WHERE GROWN	QUANTITY		CERTIFICATE OR REPORT	
			Bags	Pounds	Number	Date
(Information herein must be in harmony with official inspection certificate)						
(These forms will be furnished to verified-origin seed dealers. They are numbered and bound in pads of 50 sets of certificates. Each set consists of an original and 2 copies. The original is sent to the purchaser who shall retain it for his file; 1 copy is sent to the inspector for the issuing dealer's district; and 1 copy is retained by the issuing dealer. Each dealer shall account for all certificates used and shall return all unused certificates when his connection with the Seed Verification Service is terminated.)						

Date issued

(Name of dealer issuing certificate)

Purchaser

By

VERIFIED-ORIGIN SEED CERTIFICATE
 Issued by Authority of the
 United States Department of Agriculture

This certifies that a Federal Seed Inspector has examined the necessary records and has verified the origin of this lot of seed as indicated below. This covers ORIGIN ONLY—NOT VARIETY, QUALITY, PURITY, or GERMINATION.

Kind of seed Lot No.

Where grown

**U.S. VERIFIED-ORIGIN
SEED**

VERIFIED-ORIGIN SEED DEALER'S REPORT

The following new lots of verified-origin seed have been prepared, or offered for sale, by us during the week ended

June 2, 1945

Kind of seed	Our bulk or final lot No.	Number of bags	Pounds	Where grown	COMPONENT LOTS OF EACH BULK OR FINAL LOT REPORTED HEREIN	
					Receiving lot numbers as shown in inspection certificates	Bulk or final lot numbers shown previously by us in a verified-origin seed dealer's report
alfalfa	26700	122	8959	Okla. 67%	7162 - 6038#	
				Kans. 33%	7161 - 1400#	26651 - 375# 26652 - 661# 26627 - 588#

(This form of report is supplied by the Seed Verification Service to verified-origin seed dealers. Dealer should prepare form in triplicate and forward original and one copy to inspector, who in turn will forward the original to the Washington office and keep one copy for his file.)

Dealer Alfalfa Seed Co. Per (signature of person authorized to sign)

Address Kansas City, Mo.

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